

*KIRTON LAW FIRM*

---

*Marlon G. Kirton, Esq.*

---

*Nassau County:  
175 Fulton Avenue, Suite 305  
Hempstead, New York 11550  
Tel. # (516) 833-5617  
Fax # (516) 833-5620*

September 22, 2021

VIA ELECTRONIC FILING

Honorable Alvin K. Hellerstein  
United States District Judge  
Daniel Patrick Moynihan  
United States Courthouse  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

SO ORDERED.

/s/ Alvin K. Hellerstein  
September 23, 2021

Re: *United States v. Harvey Foster, 20 cr. 631 (AKH)*

Dear Judge Hellerstein:

I represent Harvey Foster. The Hon. Sarah Netburn granted bail on December 11, 2020. The defense requests a brief modification of his bail conditions to allow travel to and from Allentown, Pennsylvania, with the members of his drug program, on Sunday, September 26, 2021.

This Court granted the following bail conditions:

1. \$100,000 personal recognizance bond co-signed by two financially responsible persons, the surrender of passports, no new applications, travel restricted to the Southern and Eastern Districts of New York, pretrial supervision, drug testing/treatment as directed by Pretrial Services, defendant not to possess a firearm or any destructive device, curfew and GPS monitoring, the defendant is prohibited from any contact with co-defendants except in the presence of counsel, Pretrial Services will establish an exclusion zone, defendant to report to Pretrial Services on Monday, December 14, 2020, by 12:00 p.m. to receive and self-install GPS equipment, remaining conditions to be met by December 18, 2020.

Mr. Foster has been compliant with the conditions of his release. Mr. Foster is still a resident at the Striver House drug treatment program. Striver House is sponsoring a trip to Dorney Park

located in Allentown, Pennsylvania<sup>1</sup> Dorney Park is an amusement park. The trip will take place on Sunday, September 26, 2021. The staff at Striver House will supervise the trip. The residents will be given toxicology tests upon return to the Striver House. I have the consent of the Government for this request.

Please contact me if you have any questions or concerns.

Sincerely,

s/Marlon G. Kirton

Marlon G. Kirton, Esq.

cc: Andrew Rohrbach, Assistant United States Attorney (via electronic mail)  
Alexander Li, Assistant United States Attorney (via electronic mail)  
Ryan B. Finkel, Assistant United States Attorney (via electronic mail)

---

<sup>1</sup> Please see the attached.